

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

KENNETH R. HEDDLESTEN,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-13-1257-F
)	
RICHARD G. VAN DYKE, et al.,)	
)	
Defendants.)	

ORDER

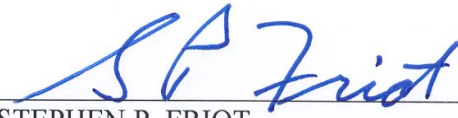
On January 14, 2014, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation, wherein he recommended that the above-entitled action be dismissed without prejudice for plaintiff's failure to pay the initial partial filing fee of \$20.63 as ordered by the court. Magistrate Judge Erwin advised plaintiff of his right to object to the Report and Recommendation by February 4, 2014 and that failure to make a timely objection waives the right to appellate review of both the factual findings and legal issues decided.

To date, plaintiff has neither filed an objection to the Report and Recommendation nor requested an extension of time to file an objection. With no objection being filed within the time prescribed, the court accepts the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Shon T. Erwin on January 14, 2014 (doc. no. 12) is **ACCEPTED**.

The above-entitled action is **DISMISSED WITHOUT PREJUDICE** for plaintiff's failure to pay the initial partial filing fee of \$20.63 as ordered by the court.

DATED February 20, 2014.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

13-1257p001.wpd